

1 **DAVID M.C. PETERSON**
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6

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9 **(HONORABLE JOHN A. HOUSTON)**

10 UNITED STATES OF AMERICA,)	Case No.: 08cr0802-JAH
)	
11 Plaintiff,)	Date: June 13, 2008
)	Time: 8:30 a.m.
12 v.)	
)	NOTICE OF MOTIONS AND MOTIONS <i>IN</i>
13 JOSE JUAN FERNANDEZ,)	<i>LIMINE</i> TO EXCLUDE THE GOVERNMENT'S
)	PROPOSED "EXPERT" TESTIMONY
14)	
15 Defendant.)	

16 TO: KAREN HEWITT, UNITED STATES ATTORNEY, and
17 PAUL STARITA, ASSISTANT UNITED STATES ATTORNEY

18 **PLEASE TAKE NOTICE** that, on June 13, 2008, at 8:30 a.m., or as soon thereafter as
19 counsel may be heard, the accused, Jose Juan Fernandez, by and through his attorneys, David Peterson,
20 Steven Barth, and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the
21 motions outlined below.

22 **MOTIONS**

23 Mr. Jose Juan Fernandez, by and through his counsel, David Peterson, Steven Barth, and
24 Federal Defenders of San Diego, Inc., brings these motions in limine and other trial motions to:

25 Exclude the Government's Proposed "Expert" Testimony.

26 Mr. Fernandez brings this motion pursuant to the Fourth, Fifth and Sixth Amendments to
27 the United States Constitution, Fed. R. Crim. P. 12, 16 and 26, and all other applicable statutes, case law
28 and local rules. This motion is based on the accompanying statement of facts and memorandum of points
and authorities.

Respectfully submitted,

s/ David M.C. Peterson

DAVID M.C. PETERSON

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Fernandez

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Dated: June 6, 2008